United Nations A/63/173/Add.1

General Assembly

Distr.: General
8 September 2008

Original: English

Sixty-third session
Item 101 of the provisional agenda*
Measures to eliminate international terrorism

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Report of the Secretary-General

Addendum

Chile

1. Chile indicated that it was a party to 12 universal counter-terrorism instruments. It had completed the technical examination of the International Convention for the Suppression of Acts of Nuclear Terrorism with a view to its ratification.

2. Chile had continued to revise and improve its domestic regulations relating to the prevention of money-laundering. A financial analysis unit had been established in 2004, to address, among other things, the financing of terrorism. It had received 419 reports on suspicious transactions in 2007. The Unit had maintained steady contacts with its counterparts in various countries and with relevant international organizations.

3. All vessels flying the flag of Chile had been equipped with an automatic identification system.

4. Chile provided information on the measures that it had adopted at the national level and in cooperation with the International Civil Aviation Organization and the Latin American Civil Aviation Commission to strengthen the safety of civil aviation.

5. In order to enhance computer security, two draft laws were under examination to update Law No. 19.223, which set forth criminal sentences for computer-related crimes.

Mexico

6. Mexico reported that it had promulgated the 2005 International Convention for the Suppression of Acts of Nuclear Terrorism by a decree issued on 9 July 2007.

* A/63/150 and Corr.1.

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7. The national security council of Mexico had established, in 2007, a high-level committee responsible for ensuring that the Mexican State complied with its obligations under international instruments pertaining to disarmament, terrorism and security. The committee was responsible, inter alia, for proposing necessary legislative measures to comply with the obligations of Mexico under international instruments.

8. By a decree dated 28 June 2007, Mexico had amended various provisions of its Federal Penal Code, the Federal Code of Criminal Procedure, the Federal Act on Organized Crime, the Credit Institutions Act, the Act on Savings and Loan Associations, the Act on the Retirement Savings System, the Act on Investment Firms, the General Act on Mutual Insurance Institutions and Companies and the General Act on Credit Organizations and Related Activities. The amendments pertained to the criminalization of international terrorism, including its financing and forms of participation therein.

Nicaragua

9. Nicaragua provided the list of universal and regional counter-terrorism instruments to which it was a party (see A/63/173, table 2).

10. On 13 November 2007, the National Assembly of Nicaragua had adopted a new Criminal Code, which defined the offences of terrorism, the financing of terrorism, hostage-taking, intentional incitement, mere incitement and conspiracy to commit terrorist acts, as well as offences against the safety of civil aviation and against navigation and port security. Definitions of other related criminal offences included illicit arms trafficking; the manufacture, trafficking, possession and use of restricted weapons and explosive substances or devices; and the construction or facilitation of landing strips. Nicaragua submitted the texts of articles 393 to 400 of its Criminal Code.[1]

11. In February 2005, Nicaragua had adopted Act No. 510, on the control and regulation of firearms, ammunition, explosives and other related materials. The objective of the Act was to prevent, regulate and control the manufacture, possession and sale of firearms.

12. Mutual legal assistance in Nicaragua was based on the Inter-American Convention on Mutual Assistance in Criminal Matters and the Convention on Mutual Assistance in Criminal Matters concluded between Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. The Prosecutor General was the focal point for the submission and receipt of requests for assistance in criminal matters.

13. Nicaragua had established, pursuant to Decree No. 108-2001 (2001), the National Committee for the Implementation of the Central American Plan for Comprehensive Cooperation to Prevent and Combat Terrorism and Related Activities. The Decree set out the strategy of the Government to combat terrorism in the following areas: enhancement of border, port and airport security; strengthening of criminal legislation in order to authorize the freezing of financial resources belonging to terrorist groups; control of migratory flows, with a view to preventing the entry of persons associated with terrorism; and cooperation among various

[1] The texts in Spanish, as well as the English translations thereof, are available in the Codification Division of the Office of Legal Affairs.

bodies in the exchange of relevant information on preventing and combating terrorism.

14. The National Committee had been working to facilitate the adoption of a draft counter-terrorism act. To that end, a workshop on the formulation of national legislation for the implementation of the universal counter-terrorism instruments and the Inter-American Convention against Terrorism had been organized on 3 and 4 May 2007 by the Ministry of Foreign Affairs, in cooperation with the United Nations Office on Drugs and Crime.

15. The implementation of the 49 recommendations of the Caribbean Financial Action Task Force was under way. A draft act establishing a financial analysis unit was under consideration. The draft contained a provision on empowering the unit to temporarily freeze any suspicious funds in bank accounts.

Republic of Korea

16. The Republic of Korea indicated that it had ratified 12 universal counter-terrorism instruments and had signed the International Convention for the Suppression of Acts of Nuclear Terrorism (see A/63/173, table 2).

17. In accordance with article 6 of the Constitution of the Republic of Korea, treaties duly concluded and promulgated under the Constitution and generally recognized rules of international law should have the same force and effect of law as domestic laws of the Republic of Korea.

Togo

18. Togo reported that it had set up a committee to determine the required sentences for the offences included in the universal counter-terrorism instruments and Security Council resolutions 1373 (2001) and 1624 (2005). The Committee had met from 26 to 28 March 2008. It would continue its work in the future, with a view to submitting to the National Assembly of Togo a draft law on the subject.

United Arab Emirates

19. The United Arab Emirates indicated that by Federal Law No. 95 (2007), it had acceded to the International Convention for the Suppression of Acts of Nuclear Terrorism. Thus, it had become a party to all universal counter-terrorism instruments.

20. Article 2 of Federal Law No. 1 (2004) defined and criminalized all terrorist acts, irrespective of the political, philosophical, racial, ethnic, religious or other considerations invoked to justify them. It also defined all the crimes specified in the universal counter-terrorism instruments. [2]

21. Articles 12 and 13 of Federal Law No. 95 (2007) criminalized the financing of all forms of terrorist activities. Articles 31, 32 and 34 contained supplementary provisions concerning the freezing or withholding of funds used for the offences in question.

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[2] The texts of articles 2 to 6, 12 and 13 of Federal Law No. 1 (2004) in Arabic, as well as the English translations thereof, are available in the Codification Division of the Office of Legal Affairs.

22. Federal Law No. 4 (2002), on money-laundering, set forth the appropriate mechanisms for combating money-laundering offences linked to terrorist acts and freezing, blocking or sequestrating the funds involved.

23. Federal Law No. 2 (2006), on the prevention of information technology crimes, placed a general prohibition on all criminal acts committed by means of information technology, in particular acts of terrorism. Article 21 of Federal Law No. 2 (2006) stipulated that it was illegal to create a website on behalf of a terrorist group by using pseudonyms or to disseminate information on the Internet or through other forms of information technology in order to facilitate contact with the leaders or members of such a group, promote its ideas, provide it with funds or publish instructions for manufacturing incendiary, explosive or other devices for use in terrorist acts.

24. Federal Law No. 39 (2006), on international judicial cooperation with regard to criminal matters, covered all aspects of international judicial cooperation. The United Arab Emirates had concluded several bilateral, regional and international agreements on legal and judicial cooperation with regard to criminal matters.

Uzbekistan

25. Uzbekistan submitted a report on the activities of the religious extremist organization "Hizb ul-Tahrir" and on the measures taken by its law enforcement agencies to curb the activities of the organization.

World Bank

26. The World Bank indicated that it had contributed to global anti-money-laundering efforts and to combating the financing of terrorism in three ways: by assessing country compliance with the international standards; by delivering technical assistance; and by developing policy.

27. The adoption and implementation of adequate legislation to combat money-laundering and the financing of international terrorism were monitored by the World Bank and the Financial Action Task Force, the International Monetary Fund and Financial Action Task Force style regional bodies on the basis of a uniform methodology. Since 2001, the World Bank had conducted over 40 assessments on compliance with legislation to combat money-laundering and the financing of international terrorism.

28. In terms of technical assistance, the World Bank had performed nearly four hundred technical assistance missions at the country or regional level to strengthen all components of regimes to combat money-laundering and the financing of international terrorism. The missions were focused on developing the legislative framework to establish a solid regime, building a financial intelligence unit capacity and improving oversight over the financial sector and its players. Efforts in that regard had often been supported by awareness-raising sessions for both policymakers and reporting entities, emphasizing the pernicious effects of crime and terrorism and laying out the basic tenets of the regimes.

29. Policy development work had been a key focus of efforts to improve the implementation of the standards to combat money-laundering and the financing of international terrorism, which included studies on the use of new technologies for financial services, exploring the risks associated with combating money-laundering

and the financing of terrorism and measures to mitigate them. The studies provided the basis for policy reviews that promoted the various channels for finance, while enabling better compliance with the standards.

30. World Bank efforts in the three areas had supported the overall strategy balance between the need to make the financial system a less attractive tool for the financing of terrorism and the need to foster economic development, which in the long run, was crucial to the elimination of terrorism.